

HOUSE No. 2660

By Mr. Falzone of Saugus, petition of Mark V. Falzone relative to continuing education and training in HIV infection control and precautions for certain health care providers and first responders. Public Health.

The Commonwealth of Massachusetts

In the Year Two Thousand and Five.

AN ACT RELATIVE TO HEALTH CARE PROVIDERS AND FIRST RESPONDERS EDUCATION.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Chapter 111 of the General Laws, as appearing in
2 the 2000 Official Edition, is hereby amended by inserting after
3 section 70G the following sections:—

4 Section 70H. No health care provider who is licensed or regis-
5 tered pursuant to Chapter 112 of the General Laws shall obtain a
6 license or registration, or renewal of said license or registration,
7 unless the health care provider has demonstrated that he or she has
8 received appropriate training and continuing education on
9 HIV/AIDS counseling and testing, the diagnosis and treatment of
10 HIV disease, and infection control and universal precautions.

11 Section 70I. Every health care facility and every agency or
12 department of the commonwealth or subdivision thereof which
13 has care or custody responsibilities shall provide training to
14 appropriate staff as to the rights, counseling and care of persons
15 diagnosed with HIV or AIDS and on implementation of infection
16 control and universal precautions.

17 Every vendor receiving state contracts for the provision of
18 health care, social or mental health services, where the vendor
19 receives fifty per cent (50%) or more of its operating budget
20 through contracts with the state, shall implement plans and pro-
21 vide training and continuing education of staff on HIV/AIDS,
22 including basic information on medical and psychosocial issues

23 related to HIV/AIDS, legal issues affecting individuals with
24 HIV/AIDS, and infection control and universal precautions.

25 The department shall develop regulations to implement this
26 section, including requirements governing the persons to be
27 trained and the content and frequency of the training.

1 SECTION 2. Chapter 111C, as appearing in the 2000 Official
2 Edition, is hereby amended by adding the following section:—

3 Section 25. HIV and AIDS Education and Training.

4 a) The Department of Public Health, in consultation with the
5 Executive Office of Public Safety, shall within sixty days develop
6 educational materials and a training curriculum for first respon-
7 ders as defined in chapter one hundred eleven, section 201 ambu-
8 lance operators and attendants, emergency medical technicians
9 (EMTs), emergency paramedics, correction officers and court offi-
10 cers on reducing the risk of transmission of the human immuno-
11 deficiency virus (HIV) through unprotected exposure. Such
12 information and education shall include rights, counseling and
13 care of persons living with HIV or AIDS, routes of transmission,
14 universal precautions, infection control, possible types of expo-
15 sure and the relative risk associated with each type, current law
16 and regulations on the use of unprotected exposure trip form or
17 incident report, recommendations for action following an unpro-
18 tected exposure capable of transmitting a blood borne disease
19 such as HIV.

20 Employers shall ensure that all first responders, ambulance
21 operators and attendants, emergency medical technicians (EMTs),
22 emergency paramedics, correction officers and court officers
23 receive such training in accordance with guidelines of the depart-
24 ment. Employers shall make available paid leave for all such
25 employees to attend the training. The department shall make
26 available training, equipment, and materials to persons respon-
27 sible for providing the training to all first responders, ambulance
28 operators and attendants, emergency medical technicians (EMTs),
29 emergency paramedics, correction officers and court officers.

30 b) All employers of first responders, ambulance operators and
31 attendants, emergency medical technicians (EMTs), emergency
32 paramedics, correction officers and court officers shall develop
33 and implement trainings on and policies for the use of appropriate

34 universal precautions and shall provide, at no charge, necessary
35 infection control equipment and materials, including but not lim-
36 ited to gloves, gowns, masks, mouthpieces, protective eyewear,
37 and resuscitation masks. Such equipment and materials shall be
38 made available in adequate supply and in clean working order.
39 Such equipment and materials shall be carried on appropriate
40 state, county, and municipal vehicles in accordance with guide-
41 lines of the department.

42 Such employers shall reduce the risk of exposure to hazardous
43 or infectious medical or biological wastes by complying with
44 department regulations for the storage and disposal of such
45 wastes.